

1 Scott S. Thomas, Nevada Bar No. 7937  
 sst@paynefears.com  
 2 Sarah J. Odia, Nevada Bar No. 11053  
 sjo@paynefears.com  
 3 PAYNE & FEARS LLP  
 6385 S. Rainbow Blvd., Suite 220  
 4 Las Vegas, Nevada 89118  
 T: (702) 851-0300 | F: (702) 851-0315  
 5 *Attorneys for Plaintiff/Counter-Defendant  
 PN II, INC.*

7 **UNITED STATES DISTRICT COURT**  
 8 **DISTRICT OF NEVADA**

9 PN II, INC. dba PULTE HOMES and/or DEL  
 10 WEBB, a Nevada corporation,

11 Plaintiff,

12 v.

13 NATIONAL FIRE & MARINE INSURANCE  
 14 COMPANY; and DOES 1 through 100,  
 inclusive,

15 Defendants.

16 NATIONAL FIRE & MARINE INSURANCE  
 17 COMPANY, a Nebraska insurance company,

18 Counter-Claimant,

19 v.

20 PN II, INC. dba PULTE HOMES and/or DEL  
 WEBB, a Nevada corporation,

21 Counter-Defendant.

22 NATIONAL FIRE & MARINE INSURANCE  
 23 COMPANY, a Nebraska insurance company,

24 Third-Party Plaintiff,

25 v.

26 PN II, INC. dba PULTE HOMES and/or  
 27 DEL WEBB, a Nevada corporation;  
 CONTRACTORS INSURANCE COMPANY  
 OF NORTH AMERICA, INC., a Hawaii  
 corporation,

28 Third-Party Defendants.

Case No. 2:20-cv-01383-ART-BNW

**ORDER APPROVING  
 STIPULATION AND ORDER TO  
 EXTEND DATES FOR RESPONSES TO  
 NATIONAL FIRE & MARINE  
 INSURANCE COMPANY'S MOTION  
 TO CERTIFY ORDER FOR  
 INTERLOCUTORY APPEAL UNDER 28  
 U.S.C. § 1292 (b) (ECF 136)**

**(First Request)**

1 Plaintiffs/Counter-Defendants PN II, Inc. dba Pulte Homes and Del Webb (collectively,  
 2 “Pulte”), Defendant/Counter-Claimant/Third-Party Plaintiff National Fire & Marine Insurance  
 3 Company (“National Fire”), and Third-Party Defendant Contactors Insurance Company of North  
 4 America (“CICNA”), by and through their respective counsel of record, hereby stipulate to extend  
 5 the deadline to file responses and replies to National Fire’s Motion to Certify Order for  
 6 Interlocutory Appeal Under 28 U.S.C. § 1292(b), filed on April 30, 2024 (ECF 136). Oppositions  
 7 are currently due on May 14, 2024, and will be extended to May 31, 2024, per the agreement of  
 8 the parties and replies will be extended to June 18, 2024. This is the first request for an extension  
 9 of the briefing on National Fire’s Motion to Certify Order for Interlocutory Appeal Under 28  
 10 U.S.C. § 1292(b).

11 The parties have met and conferred regarding their respective schedules and agreed to  
 12 extend the responses to National Fire’s Motion to May 31, 2024 and June 18, 2024, to allow the  
 13 parties additional time to brief the important issues raised in National Fire’s Motion, which may  
 14 have significant implications on this case. Finally, the parties stipulate and agree that the requested  
 15 extension is being made without prejudice to other orders previously made or to be made by the  
 16 Court.

17 In accordance with LR IA 6-1, there have been no prior extensions to the briefing on  
 18 National Fire’s Motion to Certify Order for Interlocutory Appeal Under 28 U.S.C. § 1292(b).  
 19 There have been five prior stipulations for the extension of time regarding discovery deadlines  
 20 (ECF No. 52); there have been three prior stipulations to extend the expert disclosure dates (ECF  
 21 No. 83); there has been one prior stipulation for the extension of expert deposition dates (ECF No.  
 22 87); there has been one prior extension for dispositive motions (ECF No. 90); there has been one  
 23 prior stipulation to extend briefing regarding the parties’ motions for summary judgment; and  
 24 there has been one prior extension regarding the pre-trial report deadline.

25       ///

26       ///

27       ///

28

1 IT IS SO STIPULATED.

2 DATED: May 7, 2024

PAYNE & FEARS LLP

3  
4 */s/ Sarah J. Odia*

5 Scott S. Thomas  
6 Sarah J. Odia  
7 6385 S. Rainbow Blvd., Suite 220  
8 Las Vegas, Nevada 89118  
9 Attorneys for Plaintiff/Counter-Defendant/Third-  
10 Party Defendant PN II, Inc.

11 DATED: May 7, 2024

12 NICOLAIDES FINK THORPE  
13 MICHAELIDES SULLIVAN LLP

14  
15 */s/ Dawn A. Hove*

16 Jeffrey N. Labovitch  
17 Dawn A. Hove (*pro hac vice*)  
18 Attorneys for Defendant/Counterclaimant/Third-  
19 Party Plaintiff National Fire & Marine Insurance  
20 Company

21 DATED: May 8, 2024

22 SHIVES & ASSOCIATES LIMITED

23  
24 */s/ Martin L. Shives*

25 Martin L. Shives  
26 Attorneys for Defendant/Counterclaimant/Third-  
27 Party Plaintiff National Fire & Marine Insurance  
28 Company

29 DATED: May 8, 2024

30 BROWN, BONN & FRIEDMAN, LLP

31  
32 */s/ Thomas Friedman*

33 Thomas Friedman  
34 Attorneys for Defendant/Counterclaimant/Third-  
35 Party Plaintiff National Fire & Marine Insurance  
36 Company

1 DATED: May 8, 2024

GIBSON, DUNN & CRUTCHER LLP

2 */s/ Deborah L. Stein*

3 Deborah L. Stein

4 Attorneys for Defendant/Counterclaimant/Third-  
5 Party Plaintiff National Fire & Marine Insurance  
6 Company

7 DATED: May 8, 2024

MRV LAW, INC.

8 */s/ Mark R. VonderHaar*

9 Mark R. VonderHaar

10 Attorneys for Third-Party Defendant Contactors  
11 Insurance Company of North America

**ORDER**

12 IT IS SO ORDERED. The parties have until May 31, 2024 to file oppositions to National  
13 Fire & Marine Insurance Company's Motion to Certify Order for Interlocutory Appeal Under 28  
14 U.S.C. § 1292(b); and have until June 18, 2024, to file replies in support of National Fire &  
15 Marine Insurance Company's Motion to Certify Order for Interlocutory Appeal Under 28 U.S.C. §  
16 1292(b).

17 DATED: May 8, 2024



18  
19 UNITED STATES DISTRICT JUDGE  
20  
21  
22  
23  
24  
25  
26  
27  
28